THE WORLD'S CIRCULATION IS OVER 500,000 PER DAY

HOMES.

1180 Houses, Rooms & Apartments

PRICE ONE CENT.

Sunday's World.

PRICE ONE CENT.

NEW YORK, MONDAY, MAY 20, 1895.

# INCOME TAX IS BEATEN.

Sunday World.

# Final Decision Handed Down by a Full Bench of the Supreme Court.

# CHIEF JUSTICE FULLER READ IT.

## Declared Unconstitutional in Toto --- Justice Jackson Unexpectedly Present.

tion, as vitally affected by the decision

sagaciously framed to secure and per

posed of indestructible States."

hat complex system of government so

desire to omit nothing which might in

the class of duties, imposts and excises,

The power to lay direct taxes, appor-

the grant of power as to each class.

Previous Decision Limited.

realty and a tax upon the receipts there-from were alike direct; while as to the income from municipal bonds, that could not be taxed because of want of power

New Light Shed.

(Continued on Second Page.)

"an indestructible Union, com-

Tax law has been declared unconstitu-involves the exercise of a great govern-mental power and brings into considerational in toto by the Supreme Court of

The vote on the Income Tax resulted: Five against the constitutionality of the law to four for the law.

the United States.

SHIRAS.

Those against the law were CHIEF JUSTICE PULLER, JUS- any degree tend to elucidate the ques-TICES FIELD, GRAY, BREWER AND tions submitted, and aided by further

For the law: JUSTICES HARLAN. BROWN AND JACKSON.

Immediately upon the convening of the Court at noon Chief Justice Fuller began to read the opinion.

The conclusions of the Court

ready announced, that taxes on real estate being undisputably direct taxes, taxes on the rents or income of real

estate are equally direct taxes. "Second-eW are of the opinion that taxes on personal property or on the divided Federal taxation into two great further damage. income of personal property are likewise

direct taxes. Third-The tax imposed by sections 27 to 37, inclusive, of the act of 1894, so far as it falls on the income of real esdirect tax within the meaning of the Constitution, and therefore unconstitutional and void, because not apportioned according to representation, all those sections constituting one entire scheme of taxason are necessarily invalid.

The decrees herein before entered in this Court will be vacated. The decree below will be reversed and the cases remanded, with instruc-

tions to grant the relief prayed." Sections 27 to 37, of the Tariff act of 1894, referred to in the conclusions of the

There was the usual throng of people ing of the Constitution, and the Court also been badly shaken, and a number about the United States Supreme Court went re further, as to the tax on the about the United States Supreme Court room to-day, in anticipation of a final incomes from real estate than to hold museums, &c., have suffered more or decision of the income tax cases, the that it fell within the same class as less. chamber being crowded for quite a the source whence the income was de-time before the Court convened at noon. Phose present included many attorneys and a full representation of the press, as well as a fair sprinkling of members

Those present actual may and a tax upon the receipts there are and a full representation of the press, as well as a fair sprinkling of members of Congress.

The general impression unmistakably was that the decision would be adverse to the law as an entirety, and this feeling was increased by a rumor which was current after the Court convened, to the effect that during the forenoon a definite conclusion had been reached, and that Justice Shiras, concerning whose attitude there had been some doubt, had cast his vote against the constitutionality of the law on all points.

This rumor, proved upon investigation to be like so many other stories which have been put out in connection with these cases, merely a report which could not be traced to any definite or authoritative source. The only basis for the gossip appears to have been the fact that the members of the Court were in consultation.

The Justices were at the Capitol early to-day, and the consultation began promptly at 19 o'clock, continuing until a few minutes before 12, all the members of the Court, greatly to the surprise of every one save the justices.

The fact that Justices Jackson was in the city, and that he had participated in the consultation to-day, did not become known until a few minutes before 12, all the members of the Court series in the consultation in the city, and that he had participated in the consultation to-day, did not become known until a few minutes before 12, all the members of the Court greatly to the surprise of every one save the justices.

The fact that Justice Jackson was in the city, and that he had participated in the consultation to-day, did not become known until a few minutes before court came in. He occupied his seat with the other members of the Court series and considered.

The province of the court were in the consultation to-day, did not become known until a few minutes before court came in. He occupied his seat with the other members of the Court came in. He occupied his seat the hearing.

The province of the court w

livery of the op

OPINION OF THE COURT.

Washington, D. C., May 20.—Mr.
Chief Justice Fuller delivered the opinion of the Court, which was as follows:
Whenever this Court is required to should be empowered to levy taxes directly on the individual until after the States had failed to respond to requisitions, a struggle which did not terminate until the amendment to that effect proposed by Massachusetts and concurred in by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected, it would seem by South Carolina, New Hampshire. New York and Rhode Island had been rejected. It would seem by South Carolina, New Hampshire New York and Rhode Island had been rejected. It would seem by South Carolina, New Hampshire New York and Rhode Island had been rejected. It would seem by South Carolina, New Hampshire New York and Rhode Island had been rejected. It would seem by South Carolina, New Hampshire New York and Rhode Island had been rejected. It would seem by South Carolina, New Hampshire New York and Rhode Island had been enacted by the people, the duty imposed demands in its discharge the utmost deliberation and care, and invokes the

great alarm, though they did compara-

killed and many injured. Numerous houses were badly cracked.

ing to their dwellings, apparently satis-Thousands of people spent Saturday light and Sunday night in the streets, some of them camping out in fear of falling buildings, and others simply wan-dering through the streets examining

first sounds of the subterranean disturb-Gradually the authorities are obtaining a correct idea of the amount of damage done. The villages in the vicinity of this city have suffered more severely than at first reported, though the damage done is principally in the

arguments embodying the fruits The Prince of Naples, at the head of a of elaborate research, carefully re-exstrong detachment of engineers, has been actively at work ever since Saturamined these cases, with the result that, while our former conclusions remained unchanged, their scope must be ey night in providing for the relief of enlarged by the acceptance of their walls which were likely to fall, and takas observed by Chief Justice Marshall property. The troops, in addition, have in one of his greatest judgments, "re- been most efficiently used in providing been most efficiently used in providing quires that only its great outline should

nated, and the minor ingredients which and the army commissariat corps has compose those objects be deduced from the nature of the object themselves." | been called upon to furnish provisions In considering this question, then, we efforts of the military have been ably nust never forget that it is a con-seconded, by those of the municipal stitution that we are expounding. As authorities, and nothing has been left undone to relieve distress and prevent

classes, the class of direct taxes and The earthquake seems to have been felt more severely in this neighborhood than in other places, although Siena Pisa, Placentia, Bologna, Parma and tioned among the several States in pro-

In this city the National Museum portion to their representation in the the Via Proconsolo, has been badly popular branch of Congress, a rep-damaged. This building, once the Paresentation based on population as as- lazzo del Podesta, was begun in 1255, certained by the census, was plenary and was formerly the residence of the and absolute; but to lay direct taxes Podesta, or Chief Magistrate of Florwithout apportionment was forbidden. ence. From the end of the sixteenth the power to lay duties, imposts and century down to 1859 it served as a excises was subject to the qualification prison and headquarters of the Chief of that the imposition must be uniform Police, from whence it derived the name. H Bargello, by which it is

known. Between the years 1859 and 1865 Our previous decision was confined to the building was restored and fitted up spots, a dark waist and a black straw the consideration of the validity of the for the National Museum and it contains hat.

Next door is Johnson Brost iron foundations of ancient and in the property of the p Court in the opinions, are all the sections tax on the income from real estate and splendid illustrations of ancient and of the act relating to the Income Tax, on the income from municipal bonds. The modern Italian art and culture, bronges so that the entire tax law is declared question thus limited was whether such and marbles, weapons, paintings, &c. void, specially.

Several of the historical palaces have

> LONDON, May 20-4 A. M -- A Vienna despatch says the earthquake was felt in Moravia, Southern Hungary, Dala day passes without one or two shocks There have been serious earthquakes, too, in the Ionian Islands.

Dissolve Next Month.

No confirmation of these rumors could

Reichstag Passes the Sugar Bill by

a Vote of 191 to 45. BERLIN, May 20.-The Reichstag today passed the Sugar bill by a vote of

### TO HELP OUT THE BOYS.

Brooklyn Alderman in Payor of Cyclists and Ball Players.

A resolution was introduced by Alder-

of Appeals on Monday.

Fellows made a motion to-day, befor the Court of Appeals, that an order be issued directing the Warden of Sing Sing prison to produce Dr. Robert W Buchanan before the Court of Appeals to show cause why he should not be re-sentenced. This is the first case of it nature that has ever been before th Court of Appeals in this State. It was motion day in the court and the court yers, including United States Senate

District-Attorney Fellows and Deput peared on behalf of the application, an Kimball in opposition. The District-At viewed the facts of the case, and as cused the attorneys for Dr. Buchanas of bad faith in the proceedings.

by Gov. Morton on the application of at this time go into the details of what was charged to have been a scheme of the part of Buchanan's lawyers in send

the part of Buchanan's lawyers in sending Mrs. Buchanan to Albany to plead with the Governor.

Referring to the appeal which Buchanan's attorneys took from the decision of Judge Brown, of the United States District Court, in refusing to entertain an application for a writ of habeas corpus, Mr. Fellows cited an opinion of the United States Supreme Court to the effect that such a denial was not appealable.

In answer Attorney Fitzgibbons made an effort to go into the details of the case, but was stopped by Chief Judge Andrews, who said that the only question before the court was whether there was any litigation pending in the United States Supreme Court, and gave Buchanan's attorneys two days to file a brief on that point.

He then announced that the Court would issue an order returnable at 1 P. M. on Monday next requiring the Warden of Sing Sing prison to produce Dr. Robert W. Buchanan before that Court to show cause why he should not be resentenced.

show cause why he should not be resentenced.

SING SING, May 20.—Warden Saxe
did not go to Albany to-day, nor did
he take Buchanan before the Court of
Appeals. Fitzgibbons and Kimball
were notified by Attorney-General Hancock that the District-Attorney of New
York would appear before the Court of
Appeals to-day and make application for
an order to show cause why a new
date should not be fixed for the execution of Buchanan. The lawyers went
to Albany last night.

Dr. Buchanan, in a letter to Lawyer
Roach, said:

"If we succeed in obtaining a new

### CRUSHED IN AN ELEVATOR.

A little girl, apparently an Italian fifteen years old, was found at 12.20 this afternoon crushed at the bottom of an elevator shaft in the building 97 Elizabeth street. She died be-fere an ambulance arrived from St. Vincent's Hospital, and the body, which lay near the scene of her death for over an hour, has not been identified. little girl was good-looking, had mly large blue eyes and a light complexion-

Next door is Johnson Bros. Iron foundry. One of their employees passing shortly after moon, heard groans coming from a building. He told George Martin. The groans seemed to come from the shaft of the freight elevator, and there Martin found the bruised body of the girl. She was carried to the sidewalk and laid there to await the arrival of an ambulance. She had not been there many minutes when she gave a gasp and died. The ambulance surgeon made a cursory examination of her bruises.

been there many minutes when any gave a gasp and died. The ambulance surgeon made a cursory examination of her bruises.

The elevator is used for freight only, and there was no one in attendance for an hour before the accident. There is a door leading to it from the street. Some time before the girl was discovered two little girls had been chased away from Brinckerhoffs biscuit factory, across the street, where they had been stealing crackers.

It is thought one of them is the dead girl. The police believe that in running the girls may have sought refuse behind the door leading to the elevator that one went inside while the other accidentally pulled the rope. It is be lieved the car ascended and that the girl was caught between the car am the side of the shaft, and was drawn upsome distance and fell. In support of this theory the police found on the sld of the shaft near the first floor a frest abrason in the plaster.

### BOGUS CHECKS FLOATED.

The Hamilton Bank, of Brooklyn Tired of Receiving Them. Cashier W. A. Conklin, of the Hamil

ton Bank, Brooklyn, informed the Brooklyn police to-day that somebody was deluging the institution with worth-less checks, purporting to be drawn by T. C. Burge. The checks, which were drawn for

amounts ranging from \$19 o \$250, have been floating in from Southern cities for about a month. Mr Conklin said two men who intro-Mr. Conkin said two men who into-duced themselves as Christopher and J. C. Burge, of 29 Bond street, opened an account with the bank on Nov. 22 last. For some reason which Mr. Conkin did not explain, the bank deemed it advisable to close the account, and on Feb. 27, no-tified the brothers to call for their bal-ance.

budget for the coming year, for a return bicycle path from Coney Island to Prospect Park, the path to be similar to that now in use. It is to be eighteen feet wide.

The resolution was opposed by Alderman Walsh, and referred to the Committee on Parks and Bridges.

A resolution was also introduced, by Alderman Gulifoyle, directing that the parade grounds in Prospect Park be opened on Sundays to ball-players and others. The resolution was referred to the Committee on Parks and Bridges.

Gas Stove Set Gertle on Fire.

Four-year-old Certie Hart, of \$11 Columbus avenue, was severely burned about the neck and arms about noon to-day. Her leathing caught fragments about noon to-day. Her leathing caught fragments about noon to-day. Her leathing caught fragments as stove. She was taken to Manhattan Reputal.

Hunner's Playering Extracts are leaders at the world over.

The resolution was referred to the Committee on Parks and Bridges.

Gas Stove Set Gertle on Fire.

Four-year-old Certie Hart, of \$11 Columbus avenue, was severely burned about the neck and trough the Brooklyn Bank and \$15 through the Brooklyn Bank and \$15 th

# ATLANTIC A. C. BOUTS.

Three Good Battles Promised o Coney Island To-Night.

The Atlantic Athletic Club, after a test of several months, will put on its working clothes to night and try to how the lovers of boxing that it is still very much in the swim. The managers promise these who journey to Coney Island a real treat. On the card are

was thought by Billy Malden to be able to punch holes through Bob Fitzwill go Marshail, the Englishman who came to this country for glory as well as coin, for twenty-live rounds at eatch weights. Every one, of course, knows how hard Maher can hit. Just what Marshall is capable of doing no one really knows, out t is reported by some of the knowing ones that he will astonish people. Certain it is that the Atlantic A. C. officials would not have matched him against Maher had they not thought they would put up a rip-rooring buttle. Dan Creedon, the Australian middle-weight, will face Joe Dunfee, of Syracuse. Both are suggers, and should mix matters up. This is the highest same Dunfee has yet sought. He has been under cover more or less since his light with Dan Donovan at Maple Bay on April 4, 183, in which a terrific blow from him brought the battle to such a sad end. There will be a large delegation of his Syracuse friends at the ring-side to "root" for him.

The curtain-raiser will have as principals two little fellows. Dolly Lyons, of New York, and Maxey Haugh, of Brook. Marshail, the Englishman who came to

youngsters covered half a mile in \$2 to seconds.

J. E. Madden's Larry K.p. and Campan covered half a mile in \$2 seconds.

The Western horseman may be represented in the stakes by one of the pair. Charles L. tiefield's Benamale worked half a mile this morning at a nice pace. He was "green" in his race Saturday, but will probably do better to-morrow.

J. F. Barteid's Wallabout covered half a mile in \$21-2. As the owner is dead, the youngster may not face the flag.

J. M. Jeffcott's Buccaneer, covered half a mile in \$11-2 seconds. Sagamore, Ploretta, and Margrave of the Blemton string, did nice work. It is said the latter can show a clean pair of heels to Floretta.

William Lakeland worked the Keenes' and Col. Payne's division. The latter

William Lakeland worked the Keenes' and Col. Payne's division. The latter will probably be represented in the Hatter will built for the place in this race, and he should have no difficulty in winning, if he runs up to this will be ranked, and he should have no difficulty in winning, if he runs up to this will be the ranked, and he should have no difficulty in winning, if he runs up to this race, and he should have no difficulty in winning, if he runs up to this race, and he should have no difficulty in winning, if he runs up to this race, and he should have no difficulty in winning, if he runs up to this race, and he should have no difficulty in winning, if he runs up to this this race, and he should have no difficulty in winning, if he runs up to this wishington form. Sir Walter ought to be the runnerup, and Patrician should not be worse than this race, and he should have no difficulty in winning, if he runs up to

ence a year makes. Last year I left the East with about \$5,000 to the good. This year I leave without winning a race and only running second with Eloroy. The second money in that race only barely paid my feel bill.

"Dr. Rice is engaged in the big fanddicap at St. Louis. I may fare better there."

Assigned 11 Pagamon 101 Accident 11 Charges 102 Canadissur 112 Kerry Gow 102 Kerry 112 Kerry 112 Kerry Gow 102 Kerry 112 Kerry

### ----NO BOOKMAKERS' TRUST.

Be Established in This City. The report that the bookmakers are

The report that the bookmakers are The Shake 105 Imp. Velvet Rose o organize a club with the intention of Cashmere 105 Syde William Pena loing all soris of wonderful things it several of the "knights of the pencil" got together and taked over the accessity of having a blace in town where settlements could be made. An agent is now looking for suitable quarters for the bookingters. It will fession to be almitted to membership Coder no orcumstances, however, will the association attempt to influence of dictate to the management of the race tracks. The settling exchange will be located in the vicinity of Twenty-eight street and Broadway.

# POINTERS ON THE RACES. CANNOT LOSE TO-DAY.

vi le League Club.

Colonels Backed Out.

eams was postponed on account of

The deal by which Eddie Burke, of the

New York Baseball Club, was to have

Louisville made an offer for the left-ficider, which was accepted, and Burke was notified to report at that place for dury today

luty to-day.
This morning Louisville withdrew the

Wet Grounds at Louisville.

Cincinnati Has Wet Grounds, To-

CINCINNATI. May 20.-Wet grounds was the

sure of the postponement of the Biston-Cincin-

No Game in Cleveland.

CLEVELAND, May 26.-The baseball gas

Senators Against Pirates.

EXPOSITION PARK, PITTSBURG, May 20.

The Washington and Pitisburg Baseball Club slayed here to-day. The batteries were: Marca and McGuire for the visitors, and Hawley an

RACING AT MORRIS PARK.

by Wealthy Horsemen.

It may be announced, on excellent au

thority, that there will be a race-meet-

ST. ASAPH RESULTS.

RESULTS AT LOUISVILLE.

Washington 2000

LOUISVILLE, May 29.-Wet grounds

been transferred to Louisville is off.

Farkway Handicap the Feature Wet Grounds Prevent the Baseof Racing To-Morrow.

Handspring Will Make His Debut Burke Not Accepted by the Louisin the Opening Dash.

"EVENING WORLD" SELECTIONS. Second Race--Bedouin, Emms

April Fool. Third Race--Brisk, Sagamore, Be pamets.

Fourth Race--Buckrene, Sir Walter, l'atrician. Fifth Race--Prig, Captain T., Van Hrunt.

Sixth Race--Ed Kenrney, Jack o

The features of to-morrow's card are the Hanover Stakes for two-year-olds, and the Parkway Handicap for three year-olds, at a mile and a sixteenth. In the former a very fair class of young sters come together, including Premier Brisk, Bessie Browning, Sagamore Heresy and others. They ought to fur nish a very interesting contest.

This morning Louisville withdrew the proposition.

The Giants have scarcely recovered from their experience in Fittsburg on Saturday, and, to say the least, their feelings towards Umpire Betts are not of the most kindly. If a team was ever presented outright with a game it was Pittsburg. How any man with an ordinary degree of intelligence and integrity and honesty, which Mr. Betts is popularly supposed to possess, could render such decisions as he did is almost inconceivable. In the Parkway the entries are arry supposed to possess, could render such decisions as he did is almost inconceivable.

Men who have been patrons of the game for many years who saw the game were unsulmous in denouncing Betts's work as by far the worst ever seen on a bail field. A petition, signed by nearly fifty travelling men from all parts of the country, denouncing Betts's umplring as an outrage and asking for his removal, has been sent to Nick Young. Meekin declares he will never again pitch a game at which Betts officiates.

Bannon's work is still gilt-edged and his hatting has made the older players "get a move on." Fuller will sit on the bench for awhile at least, Beginning with to-morrow, Murphy, whose knee has almost entirely recovered, will play short. Walter, who carries top weight of 124 Beldemere, 105; Patrician, 100; Buckrene, 98; Firebrand, 93; Sabilla, 93.

This is not an exceptionally brilliant though they are all good class. Buckrene, with 98 pounds up, is simply

# AND, May 26.-The entries and weights

But a General Clearing-House Will for to-morrow's races on this track ar as follows: First Race-Five furlongs.

is	Thatkeray **** 100	William Fenn
12.4	Lillipate 105	Boonton
1.1	finetta 100	for Paraharm
44	Frits	Cremuua
	Northford 105	Dama
10	Carovett	AND THE RESERVE OF THE PARTY OF
- 1	Second Race-Siz and a	
6	Bericton 100	Headlight
ii	Day Sects	Introduct 1
11	Manager 199	Red Cross 1
11	Sentine:	Audrew Dance to the con-
	Williamstry commission	tateman
0	Planue	Caritta system
	Third Blace-Six and a	quarter furfumes.
h	Resturks hade	Mayor D.
	Fazit	Tions
	lmp. Halyport 100	It use bluss
y.	Charge and a state of the same of the same	Adams
77	Ataman	Nilla
11	Needmore 100	
<del>(1</del> )	Fourth Race-Six and	a haif furiones.
T.	A D. H	
e	hive Bard	Claudian
Hill	F x Glove	Pickanay
h	Grand Prix 104	A PERSONAL PROPERTY.
	Chang Line	
	Fitta hare-One mile.	And the second second
	Benyolio	Stellmarting
•	Half Brest 114	Leigh
3	Finish	Printe Klamath
t-	Morocca	ANTIGAR Destances and
	man Barr-Six and a	hall filtlengs.
	Woodchopper	West Side
10	475-at-east	Tour Drop
	Buttly Boy	Finnwatur
	Prince John Laboration	Little Jimmy1
	Kirkover	
r		

temperature during the morning hours, as in-dicated by the thermometer at Perrys phar-macy; \$ A M... 50 6 A M... 50 8 A M... 54 12 M... 48

# ball Game at St. Louis.

# Was Released by New York, but the M'LAUGHLIN From 'The Evening World's' Special Correspondent with the Team.) ST. LOUIS, May 20.—To-day's game

Change of Venue Denied Him and His Trial Goes

Justice Pratt's Order Vacated and the Application Argued Forthwith.

DEFENSE'S COUNSEL SCORED.

Court Cec'aras Their Arguments Frivolous and Made Only to Delay the Second Trial.

Justice Ingraham, in Supreme Court Chambers, this morning, practically va-cated the order of Justice Pratt, of Brooklyn, Saturday, granting a stay of Inspector McLaughlin's second trial; ordered argument on the change of venue application to proceed forthwith; denied the application, and ordered that the Inspector's second trial, set down for to-day, proceed without interruption.

The prosecution was anxious for a speedy trial, and was not content to wait until June 3, the date on which Justice Pratt's order was made return-

an ex parte motion, notice to the opposing counsel was not necessary, and Jusice Andrews signed it without further

lin, and directed him to show cause why the motion for a change of venue should not be argued forthwith. It was returnable before Justice Ingraham, in Supreme Court, Chambers, at 10.30 o'clock

thority, that there will be a race-meeting at Morris Park this Summer, and that it will not be conducted by the Messrs. Morris, owners of the property. It is said that the Messrs. Morris, believing that there is considerable feeling against them, for some unknown reason, have declined to conduct a meeting on their own responsibility.

Some of the wealthy horsemen, among whom may be mentioned James R. Keene and 'ugust Belmont, have decided to lease the beautiful Westchester course and conduct a meeting. Subscription books will, it is said, be opened, and those who wish to share in the profits and losses of the inecting To make the order binding it had to e served on McLaughlin's counsel before midnight Saturday. It was given to Deputy Assistant District-Attorney Battle, who hurried to the residence of Emanuel M. Friend, of McLaughlin's was not rt home, and it was served on his wife, which, it is claimed, preserves he legality of the proceedings.

Defense Protests in Vain. may take stock.

There is a gap to fill in the dates
and the turfmen mentioned have taken
this plan to keep horsemen together until the Fall campagi begins at Sheepshead and Brooklyn. Special Deputies Rollins and Fex and, Deputy Assistant District-Attorney Battle were among the first arrivals in Supreme Court Chambers this morning. It was expected that Col. James and Emanuel M. Friend, counsel for McLaughlin, would put in an appearance in time RACE TRACK, ST. ASAPH, May 20. to take up the argument before the The races on this track to-day re-sulted as follows: regular court calendar was called, but at

bany, and he and Mr. Fox appeared as

Fourth Race—Seven furlongs.—Won by Himme, I to 5 and out; Doc Birch second.
T to 19 place; Gonzales third. Time—

LEI 1-4.

A Graduam make a preliminary der to show cause.

"Well, suppose you lei 1-4. "Well, suppose you tell what this is all about-what is the nature of the order?" asked Justice Ingraham.

Mr. Rollins proceeded to give a brief

RACE TRACK, LOUISVILLE, Ky., special stress upon Justice Pratt's order

Yale Waits for Harvard's Answer. ing of the statute; that the action of NEW HAVEN, Conn., May 26.-Capt. Brink Justice Andrews was null and void, and

Dacey Well Enough to Fight. Bully Darsy, of this city, who gave Jack Dempto be enter the ring. He complains of reports which have appeared in the papers throughout the continue so ing that he was it and in a basital. He annumed to lay has he is willing to ity one instant will any one in the country at 100 peaces.

# NIGHT EDITION SHOCKS KILL MANY, TO

### Earthquakes Bring Destruction He Must Appear Pefore the Court to Southern Europe.

FLORENCE, Italy, May 20. - Two Tue church at San Martino was destroyed while full of worshippers. Several persons were crushed to death out-

right. Many who were wounded are still in the ruins.

At Grassina forty houses were At Lapaggi several buildings fell, and three persons were entombed. Galazzo and Cambino were badly dam-

f this city and neighborhood are return- Mrs. Buchanan, and said he would not the damage done and watching those who had fled from their homes at the

shape of badly shaken houses. days must elapse before a definite estimate of the damage done can be made.

shelter for the homeless. Tents for the latter have been erected

Rome were also shaken.

HAS ROSEBERY RESIGNED? Wild Rumor that Parliament Will

LONDON, May 20.-Wild rumors were of Commons to-night to the effect that resigned or was about to resign, and pending and that it would probably

nan Gullfoyle, in the Brookyn Board of Aldermen, this afternoon, directing the Park Comissioner to provide n his budget for the coming year, for a re-

# Peter Maher, the Irish champion, who

New York, and Maxey Haugh, of Brookphil.

The Club has made every arrangement
to handle the crowd, while the railroad
companies will fun special trains, so
that there will be no delay in getting
to or from the Island.

Johnny Eckharit, matchmaker of the
Club, has received world from Jim Corbett, John L. Sullivan, "Bat" Masterson, Bob Fitzsimmons, Paddy Ryan and
a large crowd of sports from Philadelphia, Baltimore, Washington, Roston
and elsewhere that they will surely witness the bouts.

WORK FOR COMING STAKES.

WORK FOR COMING STAKES.

Youngsters Entered in This Week's Events Show Finely.

(Special to The Evening World)

GRAVESEND, May 29.—The work for the Parkway Handicap and the Handover Stakes, to be run here to-morrow brought quite a crowd of speciators to Sheepshead Bay and Gravesend. For the former, the two great glains that finished second and third in the Brooklyn Handleap, will fight their battle over again.

Both did nice work and were ridden by Murphy and Dorgett, who will ride them in the race. Lazzarone covered a mile and a quarter in 218. The horselocks in far better shape than he dilwhen he ran in the Brooklyn Handleap. Sir Walter was sent a longer journey. He covered a mile and a half in 2.60 The game horse was full of dash and vigor and trainers estimate that the race will be be-ween the loair.

The Handver Stakes will bring out the flag as yet against cracks that have already been seen at the meeting.

At Sheepshead Bay, Mr. Lorillard's Henselm worked with Peterman. The latting and trainers estimate that the race will be be-ween the loair.

The Handver Stakes will bring out the flag as yet against cracks that have already been seen at the meeting.

At Sheepshead Bay, Mr. Lorillard's Henselm worked Celerity, a beautiful of by Springfield—Active. The youngster was the bled like his famous sire field. The pair covered five fittiongs in 103.

Tenderness, and a couple of other youngsters at covered half a mile in 25 to the pole of other youngsters and they for other youngsters covered half a mile in 25 to the pole of the pair to week half a mile in 25 to the pole of the pair to week half a mile in 25 to the pole of the pair to week half a mile in 25 to the pole of the pair to week half a mile in 25 to the pole of the pair to week half a mile in 26 to the pole of the pair to week half a mile in 26 to the pole of the pair to week half a mile in 26 to the pole of the pair to week half a mile in 26 to the pair to week half a mile in 26 to the pair to week half a mile in 26 to the pair

Brisk is a very fair sort of two-year old, and he ought to capture this stake old, and he ought to capture this stake. Sagamore has shown considerable speed and he should beat Benamela for the place. Pourth Race-Parkway Handicap, mile and sixteenth.

## ALEXANDER ISLAND ENTRIES RACE TRACK, ALEXANDER ISL

# GETS NO STAY.

on To-Day.

At a hurried conference between District-Attorney Fellows and Special Deputies Fox and Rollins, an order was agreed upon which was submitted to Justice Andrews, of the Supreme Court, at 10.30 o'clock Saturday night. Being

First Race-Six and one-half furlongs. Ingraham entertained a number of ing-Won by Farkness, 5 to 2 and 4 to 5; tions in other cases.
In opening the case ex-Surrogate Rol-West Park third. Time—124 lz.

Second Race—Four furlongs.—Won by Svengali, 3 to 1 and even; Torello second, out for place, and Dutch Girl third. Time—0.51 let.

Time—0.511-4.

dd Race—Five furlongs.—Won by ed. 2 to 5 and out; Annie T., sec5 to 2 place; Flash third. Time—

Lawyer Abraham J. Elkus arose to make a preliminary objection to the or-

RACE TRACK, LOUISVILLE, Ky., May 20—The races on this track to-day resulted as follows:

First Race—Seven Furiongs.—Won by All over, to 1 and 8 to 5; Cyclone second, 4 to 5 place; Judith third. Time—1.5%.

Second Race—Six furiongs.—Won by Catalina, 5 to 2 and 3 to 5; Miss Louiscend, 2 to 1 place; Miss Fiorist third. Time—1.16 1-2.

Time—1.16 1-2.

Thorne this afternoon said that he had received the communication from Harvard, except a brief grant any of the motions made by the note from Eight Brever, in which the latter parted that he had placed Yale's letter before the Harvard Athletic Committee, and that they would criefly without drief. of the defense, who sione under the law can bring such matters before the

Billy Darey, of this city, who gave Jack Demporary and Jack McAulife suff fights, has determined resenter the ring. He complains of reports city have adversed in the papers throughout a company section which have adversed in the papers throughout a company section what he was it and in a throughout dense had not moved in the carrier and in a Court Declares Opposition Frivolous is willing

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(Continued on Seventh Page.)